

**AGENDA
CITY OF THE COLONY
PLANNING AND ZONING COMMISSION
MARCH 22, 2016**

After determining that a quorum is present, the Planning and Zoning Commission of the City of The Colony, Texas will convene into regular session which will be held on Tuesday, March 22, 2016 at 6:30 PM in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items will be addressed:

1.0	CALL REGULAR SESSION TO ORDER
1.1	Citizen Input
2.0	CONSENT AGENDA
2.1	Consider approval of the minutes of the February 23, 2016 Regular Session.
3.0	PUBLIC HEARING ITEMS
3.1	<i>SUP15-0010 Renew Resale Thrift Store Specific Use Permit</i> Conduct a public hearing, discuss and consider making a recommendation to City Council regarding an application for a Specific Use Permit (SUP) to allow a thrift store called Renew Resale Thrift Store at 6700 Main Street, Suite 130 within Shopping Center (SC) zoning.


"Pursuant to the Texas Open Meetings Act, Government Code Chapter 551, one or more of the above items may be considered in executive session closed to the public. Any decision held on such matter will be taken or conducted in open session following the conclusion of the executive session".

Persons with disabilities who plan to attend this meeting who may need auxiliary aids such as interpreters for persons who are deaf or hearing impaired, readers or, large print are requested to contact the City Secretary's office, at 972-624-3105 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

CERTIFICATION

I hereby certify that above notice of meeting was posted outside the front door of City Hall by 5:00 p.m. on the 18th day of March 2016.




Christie Wilson, City Secretary

**MINUTES
CITY OF THE COLONY
PLANNING AND ZONING COMMISSION
FEBRUARY 23, 2016**

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Board Members Present: Karen Hames, Chairman, Detrick DeBurr, Vice Chairman, Shawn Rockenbaugh, Cesar Molina Jr., Brian Buffington, Janece Pool, and Shannon Hebb.

Board Members Absent: None

Staff Present: Gordon Scruggs, P.E. Director of Engineering, Mike Joyce, AICP, Planning Director, Surupa Sen, AICP, Senior Planner, Brian McNulty, Engineering Technician, and Ed Voss, City Attorney.

1.0	CALL REGULAR SESSION TO ORDER
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Chairman Hames called the meeting to order at 6:30 p.m.

1.1	CITIZEN INPUT
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No citizens came forward during Citizen Input.

2.0	CONSENT AGENDA
2.1	Consider approval of the minutes of the February 9, 2016 Regular Session.
2.2	<i>RP16-0001, Lot 5R, Block N, The Cascades at The Colony, Phase 3, Replat</i> Consider approval of Lot 5R, Block N, The Cascades at The Colony, Phase 3, being a replat of Lot 5, Block N, The Cascades at The Colony, Phase 3, a 3.021 acres of land out of the B.B.B. and C.R.R. Survey, Abstract No. 174, an addition to the City of The Colony, Denton County, Texas located at the northeast corner of SH 121 and Cascades Court in Planned Development 16 (PD-16) zoning district.

Chairman Hames read the Consent Agenda items into the record.

Commissioner DeBurr moved to approve Item 2.1, Commissioner Hebb seconded the motion. Motion carried (7-0).

3.0	PUBLIC HEARING ITEMS
3.1	<i>SUP15-0013, Holiday Inn Express Hotel Limited Service Hotel</i> Conduct a public hearing, discuss and consider making a recommendation to City Council on an application for a Specific Use Permit (SUP) to allow a limited service hotel, Holiday Inn Express Hotel, to be located on a 2.013-acre tract of land on Memorial Drive, approximately 500-feet west of Blair Oaks Drive.

Chairman Hames read the public hearing item 3.1 into record.

Ms. Sen presented the staff report.

Chairman Hames opened and closed the public hearing at 6:40 p.m. with no one wishing to speak on the item.

Commissioner Hebb asked if any study has been done to determine how much per capita need is for hotels in and around this area.

Mr. Joyce responded that no study has been done in that nature; however with the anticipated number of visitors per year generated by Nebraska Furniture Mart and other new commercial establishments, there is probably room for more hotel developments within the City.

Commissioner Rockenbaugh moved to approve Item 3.1 Commissioner Molina seconded the motion. Motion carried (7-0).

There being no further business to come before the Commission, Chairman Hames adjourned the Regular Session of the Planning and Zoning Commission at 6: 41 p.m.

Karen Hames, Chairman

Surupa Sen, AICP, Senior Planner

PLANNING AND ZONING COMMISSION REPORT

AGENDA DATE: March 22, 2016

DEPARTMENT: Engineering/Development Services Department

PLANNER: Surupa Sen, AICP, Senior Planner, 972-624-3164

SUBJECT: *SUP15-0010 Renew Resale Thrift Store Specific Use Permit*

Conduct a public hearing, discuss and consider making a recommendation to City Council regarding an application for a Specific Use Permit (SUP) to allow a thrift store called Renew Resale Thrift Store at 6700 Main Street, Suite 130 within Shopping Center (SC) zoning.

OWNER/APPLICANT

Applicant:	Carol Whites	The Colony, Texas
Owner:	TY Commercial Inc.	Dallas, Texas

EXISTING CONDITION OF PROPERTY

The property is currently developed as a shopping center with different commercial and retail tenants, including Roma's Italian Restaurant, Tony's Hair Salon, Mr. Jim's Pizza, China Star and Trinity Presbyterian Church. The proposed thrift store will occupy Suite 130 which is towards the middle of the shopping center.

PROPOSED DEVELOPMENT

The applicant is proposing a thrift store to sell second hand merchandise at the shopping center at 6700 Main Street. The lease space is 968 square feet.

ADJACENT ZONING AND LAND USE

North - General Retail (GR) – The Colony City Hall and Public Library
South - Single Family Residential (SF-4) – Single Family Residential subdivision
East- Single Family Residential (SF-4) – Single Family Residential subdivision
West- Shopping Center (SC) – C.V.S and Auto zone across Main Street

DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW

The Development Review Committee (DRC) finds the Specific Use Permit (SUP) meet the requirements Section 10-905 of the Zoning Ordinance, as outlined in the Staff Report.

ATTACHMENTS

1. Staff Analysis
2. Location Map
3. Proposed store images

ATTACHMENT 1

Staff Analysis

Summary of Request

The applicant is proposing a thrift store to sell second hand merchandise at the shopping center at 6700 Main Street. The lease space is 968 square feet.

Existing Condition of Property

The property is currently developed as a shopping center with different commercial and retail tenants, including Roma's Italian Restaurant, Tony's Hair Salon, Mr. Jim's Pizza, China Star and Trinity Presbyterian Church. The proposed thrift store will occupy Suite 130 which is towards the middle of the shopping center.

Platting Status

The subject property is platted as North Colony Shopping Center, Block 87, Lot 17 (PT).

Adjacent Zoning/Land Use

North - General Retail (GR) – The Colony City Hall and Public Library
South - Single Family Residential (SF-4) – Single Family Residential subdivision
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West- Shopping Center (SC) – C.V.S and Auto zone across Main Street

Land Use Analysis

The Zoning Ordinance requires a Specific Use Permit (SUP) for Thrift Stores within Shopping Center (SC) zoning.

Infrastructure Improvements

There are no infrastructure improvements planned for this area other than F.M. 423 expansion by TxDOT.

Thrift Store Requirements

On December 16, 2014, the City Council passed Ordinance 2014-2109 adding the land use, "Thrift Store," as a separate retail entity within the Zoning Ordinance Schedule of Uses in order to differentiate a thrift store use from any other retail use and to require a Specific Use Permit (SUP) for this land use within some or all commercial zoning districts.

Section 10-2500 was added to the Zoning Ordinance providing regulations for thrift stores:

"Section 10-2500. Thrift Stores. The following regulations shall apply to thrift stores:

- (1) A thrift store must be located a minimum of two (2) miles from another thrift store, measured from door to door;
- (2) A thrift store shall not be the anchor store in a shopping center; it shall be a minimum of twenty-five percent (25%) smaller in size than the major tenant; and
- (3) Drop off points shall be screened with solid screening walls or shrubs that will grow to a minimum of six (6) feet at maturity, shall be located a minimum of 200 feet from any residential use and shall remove any donated items and/or accumulated debris on a daily basis so that no items are left outside overnight."

This proposed thrift store is within less than 2 miles from the existing CCA Thrift Store at 5000 Main Street and also is within less than 200 feet of residential use. The applicant had requested for variance from these two requirements from the Board of Adjustments (BOA). On February 17, 2016 the BOA has approved the variance requests so the current application is in compliance with the approved variance.

Specific Use Permit (SUP) Criteria

In accordance with Section 10-905 (Special Use Permits - Approval Criteria) of the Zoning Ordinance, the Planning and Zoning Commission and City Council shall review and evaluate a Specific Use Permit application using the following criteria:

1. **Conformance with the City of The Colony's Comprehensive Plan;**
The Future Land Use Map identifies this area as "Commercial/Office Development" intended to provide for a variety of retail, professional services, and office development. The proposed thrift store is a retail operation and is in compliance with the Comprehensive Plan.
2. **Conformance with applicable regulations and standards established by the zoning regulations;**
With the approval of the SUP, the application will be in conformance with the Zoning Ordinance.
3. **Compatibility with existing or permitted uses on abutting sites, in terms of building height, build and scale, setbacks on open spaces, landscaping and site development, access and circulation features, architectural compatibility;**
This is proposed within an established shopping center that has been in operation successfully for many years and is in compatible with surrounding sites.
4. **Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area, existing zoning and land uses in the area;**
There is enough parking available on site to meet requirements.
5. **Protection of persons and property from erosion, flood, or water damage, fire, noise, glare, air quality, generation of dust and odors, and similar hazards and impacts;**
There are no potential hazardous impacts from this proposed use.
6. **Location, lighting and type of signs; the relation of signs to traffic control and adverse effect of signs on adjacent properties;**
There is a multi-tenant sign for this property to identify current tenants and each tenant has wall signs as well.
7. **Adequacy and convenience of off-street parking and loading facilities;**
There is adequate parking on site.
8. **Determination that the proposed use and site development, together with any modifications applicable thereto, will be compatible with existing or permitted uses in the vicinity;**
The proposed use will be compatible with existing uses in the vicinity.

9. **Determination that any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses in the same district and surrounding area; and**

No special conditions are being recommended by staff.

10. **Determination that the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare of materially injurious to properties or improvements in the vicinity.**

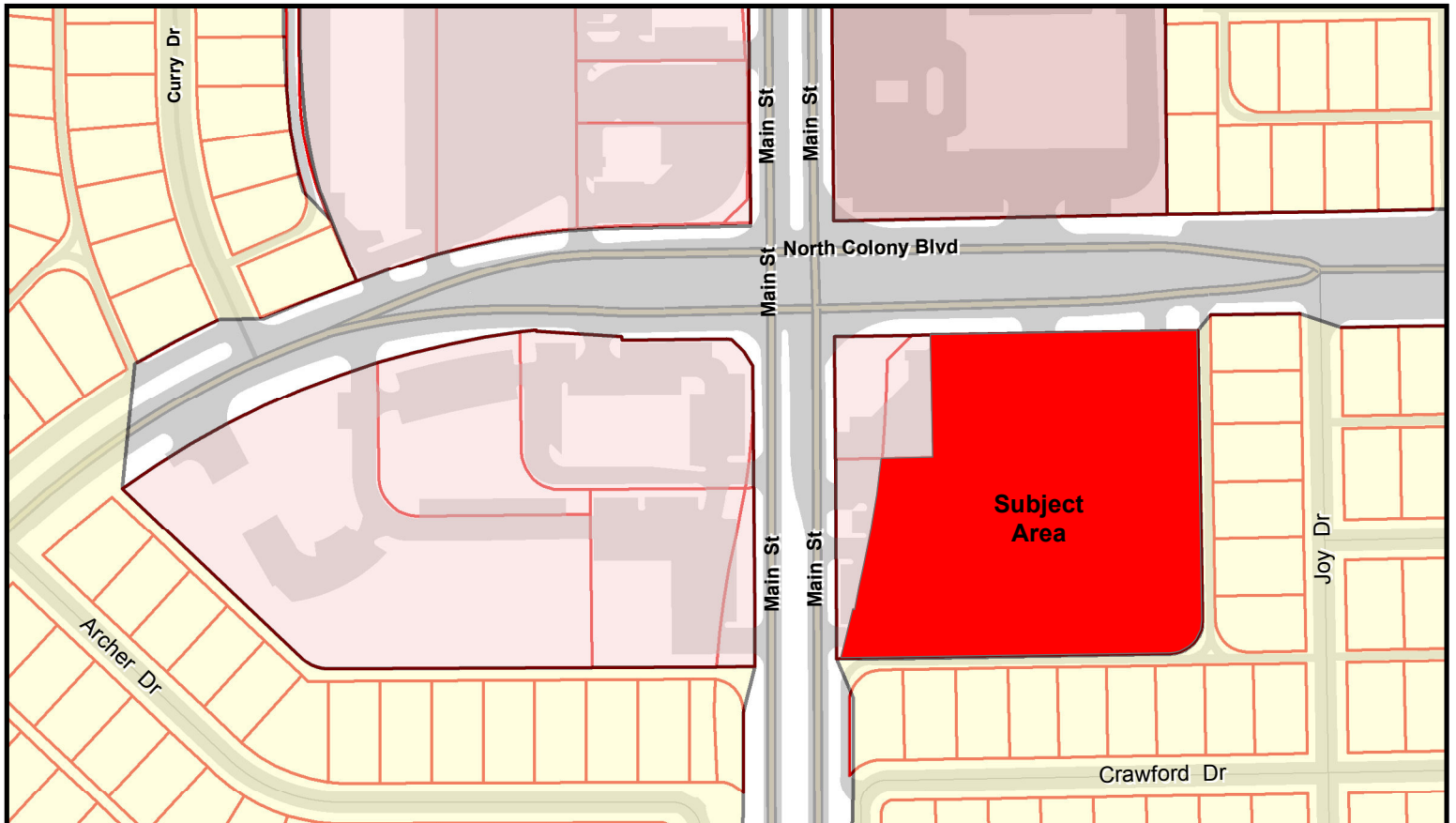
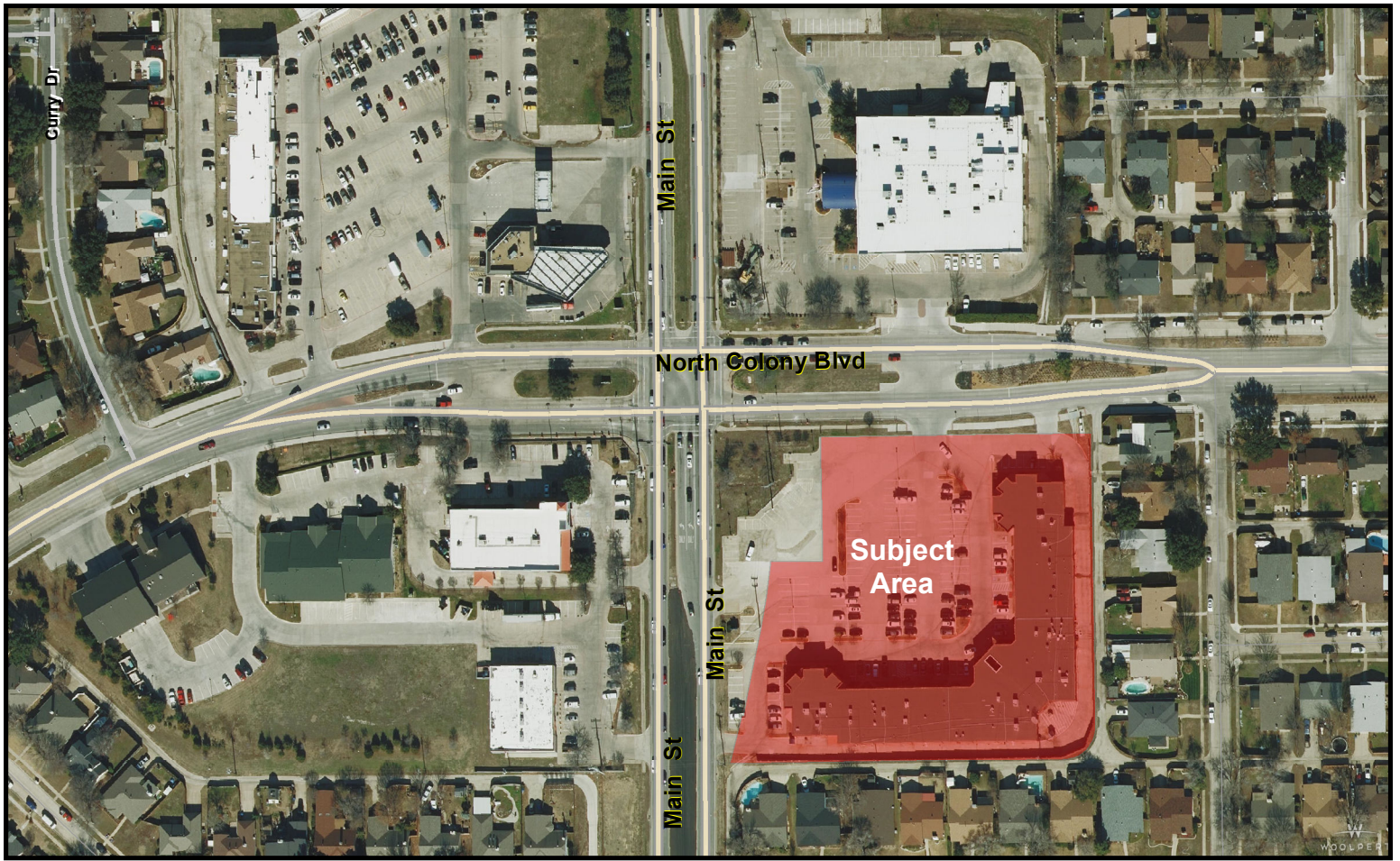
The proposed use is not detrimental to the public health, safety, or welfare.

Notification

The Zoning Ordinance requires newspaper notification a minimum of ten (10) days prior to the Planning and Zoning Commission meeting. Notice for this SUP Public Hearing was published in *The Dallas Morning News* on March 11, 2016. In addition, Zoning Ordinance also requires notification of property owners located within 200 feet of the subject property a minimum of ten (10) days prior to the public hearing. Notices were mailed on March 9, 2016 to thirty five (35) property owners. One residence has expressed concern over this proposed use who resides in the subdivision adjoining the shopping center. Another information request has been received.

Development Review Committee Review

The Development Review Committee (DRC) recommends approval for the SUP.

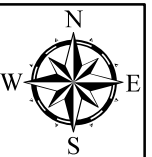


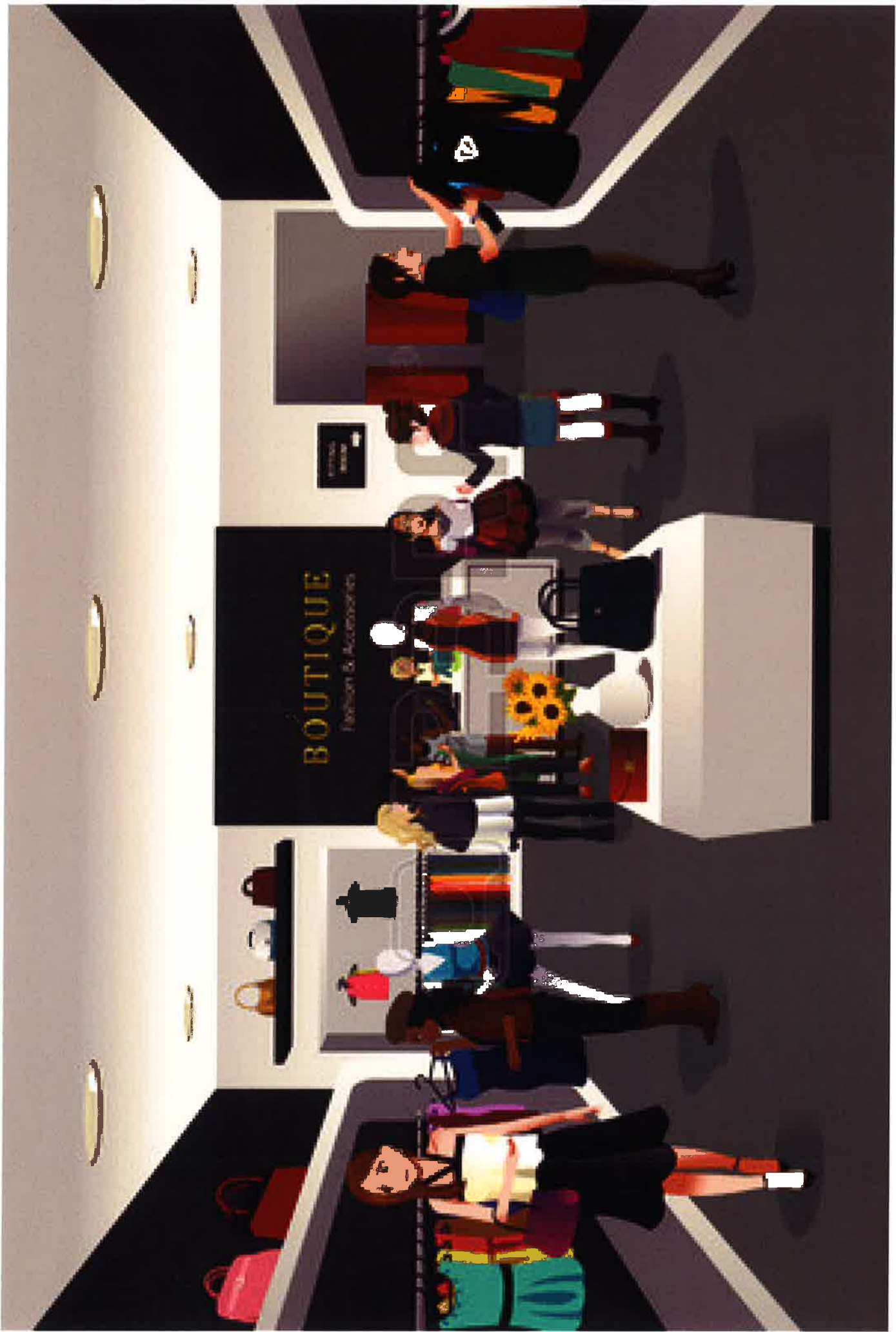
Project No. SUP15-0010 - Project Name: Renew Resale Thrift Store

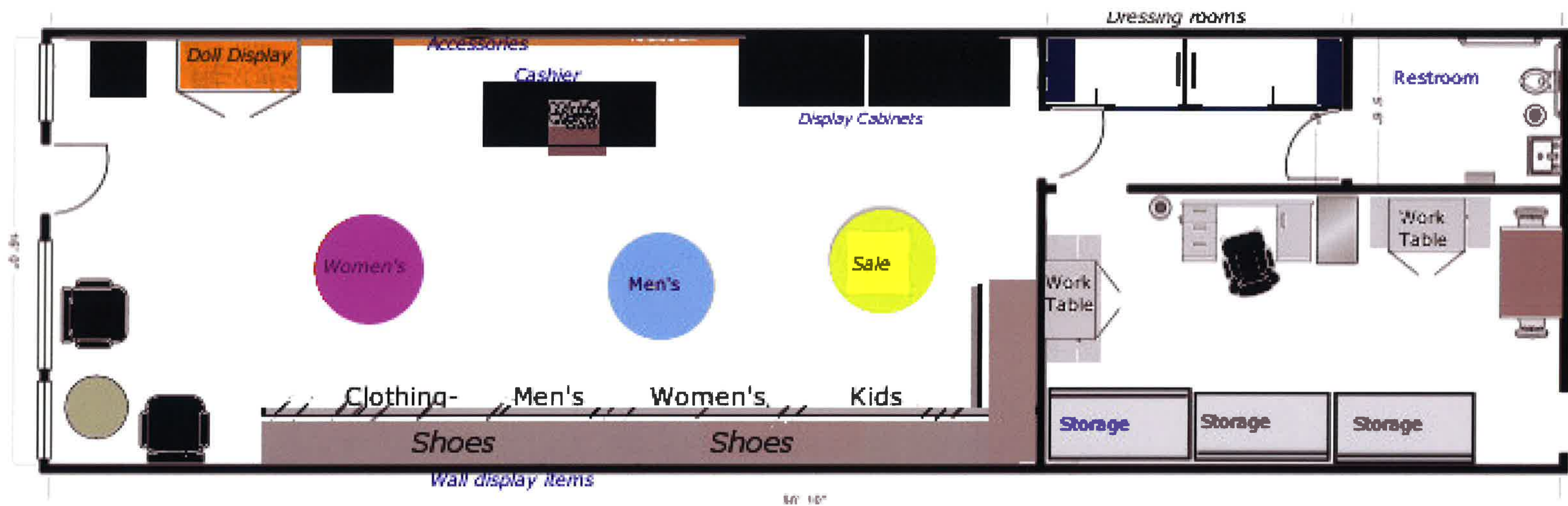


■ Renew Resale Thrift Store	■ Business Park/Industrial	■ Heavy Commercial	■ Mobile Home	■ Planned Development
■ Agricultural	■ Duplex Dwelling	■ Industrial	■ Neighborhood Service	■ Shopping Center
■ Business Park	■ General Retail	■ Light Commercial	■ Office District 1	■ Single Family Dwelling

This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.







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Karen Hames, Chairman

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PLANNING AND ZONING COMMISSION REPORT

AGENDA DATE: March 22, 2016

DEPARTMENT: Engineering/Development Services Department

PLANNER: Surupa Sen, AICP, Senior Planner, 972-624-3164

SUBJECT: *SUP15-0010 Renew Resale Thrift Store Specific Use Permit*

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Applicant:	Carol Whites	The Colony, Texas
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DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW

The Development Review Committee (DRC) finds the Specific Use Permit (SUP) meet the requirements Section 10-905 of the Zoning Ordinance, as outlined in the Staff Report.

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There is enough parking available on site to meet requirements.
5. **Protection of persons and property from erosion, flood, or water damage, fire, noise, glare, air quality, generation of dust and odors, and similar hazards and impacts;**
There are no potential hazardous impacts from this proposed use.
6. **Location, lighting and type of signs; the relation of signs to traffic control and adverse effect of signs on adjacent properties;**
There is a multi-tenant sign for this property to identify current tenants and each tenant has wall signs as well.
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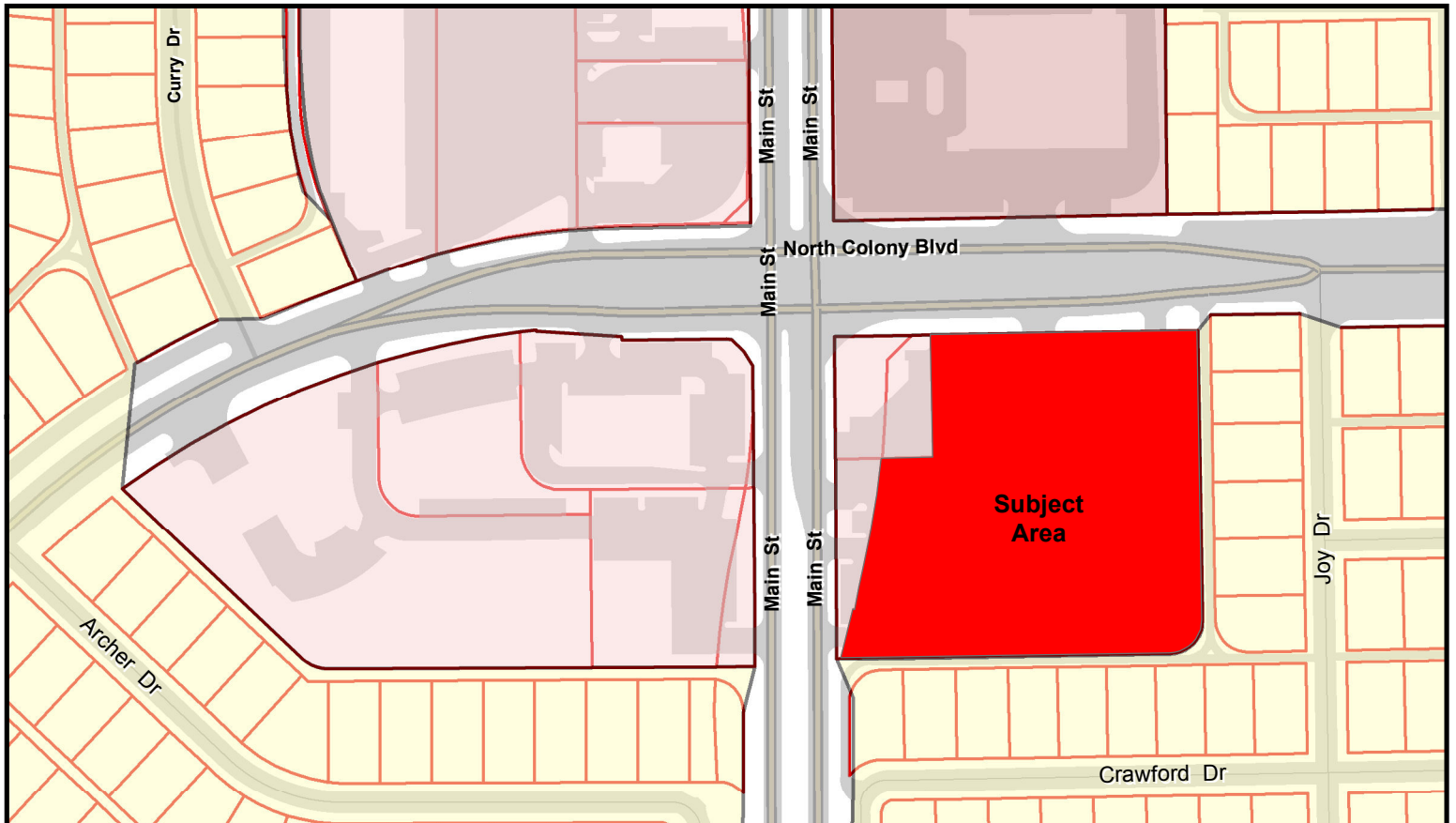
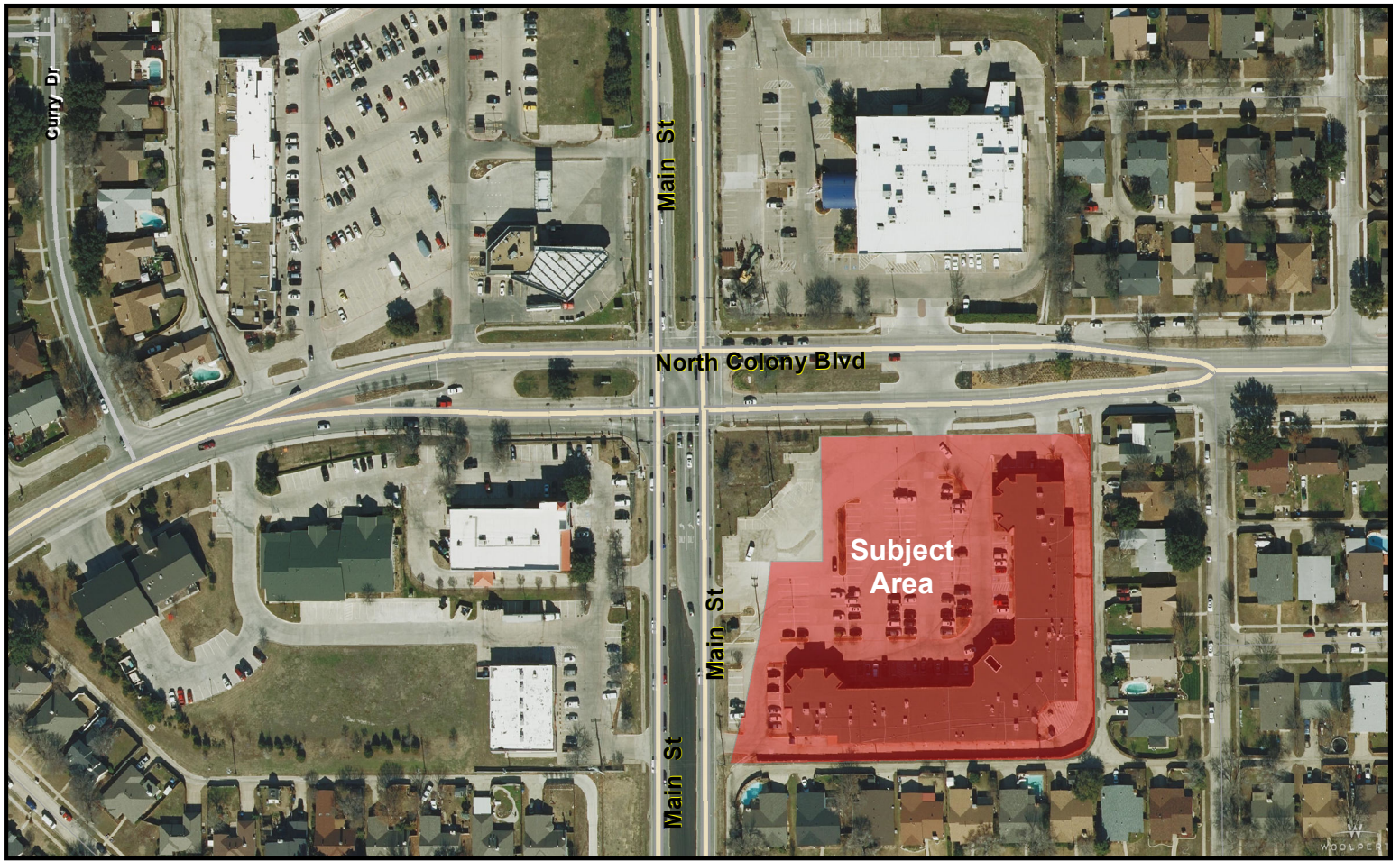
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Development Review Committee Review

The Development Review Committee (DRC) recommends approval for the SUP.



Project No. SUP15-0010 - Project Name: Renew Resale Thrift Store

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■ Agricultural	■ Duplex Dwelling	■ Industrial	■ Neighborhood Service	■ Shopping Center
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